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January 5, 2021

VIA ECF

The Honorable Joel Schneider
United States Magistrate Judge
United States District Court - District of New Jersey
Mitchell H. Cohen U.S. Courthouse
4th & Cooper Streets, Room 2060
Camden, NJ 08101

Re: In re Valsartan/Irbesartan/Losartan MDL

Dear Judge Schneider:

I write to provide the Court with an update on the dates ZHP has proposed for the depositions of ZHP-party witnesses in light of the Court's rulings made during the Case Management Conference on December 22, 2020, and the Court's order memorializing those rulings, dated December 31, 2022 (ECF No. 704).

During the Case Management Conference, the Court requested that ZHP determine whether Mr. Du could be available for a deposition in February or January. *See* Hg. Tr. 29:24-30:2, 31:22:32-7. In the December 31 order, the Court ruled that the Court would be inclined to approve the schedule for depositions that ZHP proposed if Mr. Du could be available before January 14, and that ZHP's schedule of depositions would be a subject for next week's case management conference if the parties cannot agree on deposition dates for Mr. Du that are prior to March 18-19, the dates originally proposed. *See* ECF No. 704 at ¶ 1. In addition, the Court directed ZHP to use good faith efforts to "move up" the proposed March dates. *Id.* at ¶ 2.

As the Court is aware, ZHP was the first Defendant to propose a schedule of depositions, proposing dates for the depositions of six U.S.-based witnesses and seven China-based witnesses to be conducted from January through April 1. All of the China-based witnesses were designated as both individual fact witnesses and 30(b)(6) witnesses. Given that the China-based witnesses would have to travel to Hong Kong to be deposed in this action, and thus be subjected to a 28-day

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COVID-19 quarantine, and in light of the Chinese New Year, which runs from February 8-26, 2021, ZHP proposed dates in March for the depositions of the China-based witnesses. In addition, given that Mr. Du's attendance at ZHP's Annual Meeting is required under the rules of the Shanghai Stock Exchange, which was scheduled to be conducted before the Chinese New Year, ZHP proposed Mr. Du's deposition for March 18-19.

In light of the above rulings by the Court, ZHP has agreed to reschedule its Annual Meeting until after the Chinese New Year so that Mr. Du could be deposed before the Annual Meeting. Accordingly, ZHP has proposed to Plaintiffs that Mr. Du be deposed on February 17, subject to the parties reaching agreement on the production of Mr. Du's personal email. In addition, ZHP has proposed to Plaintiffs switching the March dates originally proposed for the depositions of Linda Lin (Regulatory) and Jay Wang (Sales) with the depositions of Qingming Li (Quality Assurance) and Minli Zhang (Quality Assurance), such that Zhang would be available March 2-3, Li would be available March 4-5, Lin would be available March 16-17, and Wang would be available March 24-25. ZHP also proposed moving up the deposition of Min Li from April 1 to March 18-19 and Hai Wang from February 18 to February 11.

ZHP has made every effort to satisfy the Court's orders regarding deposition scheduling, including by taking the extra measure of rescheduling its Annual Meeting. Not only has it made changes in light of the above orders, but its complete schedule of dates has been pending since December 8. Moreover, ZHP's witnesses are required to travel in order to be deposed, and they have volunteered to do so notwithstanding the risks attendant to traveling during the pandemic. ZHP has been forthcoming with its deposition schedule so that it could plan accordingly, given the travel and quarantines required.

We are hopeful that Plaintiffs will agree to the deposition schedule ZHP proposed on December 8, subject to the above modifications.

Respectfully submitted,

s/ Seth A. Goldberg

Seth A. Goldberg

cc: All counsel of record via ECF
Cc